



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Atty Freeman, Jordan M. (for Petitioner Valerie Landresse Priest)

**Petition for Probate of Will and for Letters of Administration with Will Annexed;
Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 5/29/2000		<p>VALERIE LANDRESSE PRIEST, granddaughter, is Petitioner and requests appointment as Administrator with Will Annexed and without bond.</p> <p>All heirs waive bond.</p> <p>Petitioner states she was previously appointed as successor Administrator. On 8/21/2001 the order for final distribution was entered. Petitioner was discharged on 11/20/2003. Petitioner states she recently discovered an additional Morgan Stanley account in the Decedent's name. Morgan Stanley will not distribute the funds without valid letters of Administration therefore the estate needs to be re-opened.</p> <p>Will dated 8/19/19 (admitted to probate on 10/2/2000)</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of the Estate: \$33,718.17</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Status hearings will be set as follows:</p> <ul style="list-style-type: none"> Friday, December 21, 2012 at 9:00 a.m. in Department 303 for the filing of the inventory and appraisal. Friday, September 20, 2013 at 9:00 a.m. in Department 303 for the filing of the first account of petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	
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			<p>Reviewed by: KT</p> <p>Reviewed on: 7/16/12</p> <p>Updates: SUBMITTED</p> <p>Recommendation:</p> <p>File 1 - Landresse</p>	

Atty Walters, Jennifer L. (for Carlos Garza – Father – Petitioner)
 Atty Kruthers, Heather (for Public Guardian – Conservator)
 Petition for Visitation (Prob. Code 2102;2113)

Age: 33		CARLOS GARZA , Father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. The Court may also require proof of service of Notice of Hearing on: - Daniel Escandon (brother) - Gloria Ramos (aunt) - Any other interested parties as the Court may require.
		PUBLIC GUARDIAN was appointed Conservator of the Person and Estate of Elva Garza on 5-14-08.	
Cont. from 061912		Petitioner states his daughter (33) is developmentally disabled, is a CVRC client, and resides in an assisted living facility. He was actively involved in the proceedings for conservatorship, and at the conclusion of the proceedings on 5-2-08, the Court encouraged visits.	
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		Until December 2011, Petitioner was receiving supervised visits with his daughter. On 12-5-11, however, he received his last visit and no family has been able to visit since.	
		Petitioner has called the Public Guardian's office multiple times and has been told that his daughter cannot decide if she wants to visit and therefore they are not setting up visits at this time.	
		Petitioner does admit that his daughter has a history of one day saying one thing and the next day saying something else. She probably has said on occasion that she does not want to visit; however, she suffers from mental disabilities that should be taken into account.	
		There have been no incidents during visitation that would cause the Public Guardian concern or to cease visitation.	
		Ms. Garza's family wants to be able to visit, especially Petitioner, and it has become apparent that this will not occur without additional assistance from the Court.	
		Petitioner requests this Court order that:	
		1. Petitioner receive reasonable visitation with the Conservatee; and	
		2. Any other orders the Court deems necessary.	
			Reviewed by: skc
			Reviewed on: 7-16-12
			Updates:
			Recommendation:
			File 3 - Garza

5 Oralla Hope Lewis (CONS/PE)

Case No. 10CEPR01069

Atty Rindlisbacher, Curtis D.

Atty Bagdasarian, Gary G.

(1) First and Final Account and Report of Conservator, (2) Petition for Reimbursement of Costs Advanced by Conservator; (3) for Attorney's Fees and Costs Advanced by the Attorney; (4) for Discharge of Conservator and (5) for Authority to Liquidate the Estate by Summary Disposition [Prob. C. 1060-1064; 1860; 1861-1863; 2620; 2623; 2631; 2640]

Age:		NEEDS/PROBLEMS/COMMENTS:	
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Reviewed by: KT			
Reviewed on: 7/13/12			
Updates:			
Recommendation:			
File 5 - Lewis			

Roberta E. Davis Living Trust

Franco, Paul C. (for James Douglas Davis – Co-Trustee and Beneficiary – Petitioner)

Camenson, David M. (for Carla Ray – Co-Trustee and Beneficiary – Respondent)

Case No. 12CEPR00363

Petition for Accounting, Removal of Co-Trustee and Instructions [Prob. C. 17200(b)
(5)(6), (7), (10) & (12)]

DOD: 6-13-11		JAMES DOUGLAS DAVIS , Co-Trustee and Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		CARLA D. RAY , Co-Trustee and Beneficiary (sister of Petitioner), is Respondent.	<u>Continued from 6-7-12</u>
Cont. from 060712		Petitioner states he and his sister are all of the beneficiaries of the trust and are the first successor Co-Trustees.	<u>Minute Order 6-7-12:</u> Counsel requests a continuance. Matter continued to 7-19-12.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Petitioner seeks orders and instructions pursuant to Probate Code §17200 as follows:	As of 7-16-12, nothing further has been filed.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	17200(b)(7)(C) – Compelling Carla D. Ray to account and report to Petitioner as beneficiary. Petitioner, through prior counsel, made a written request on 1-10-12 to provide an account, but she has failed and refused to provide any such account or report. It has now been more than 40 days since that request.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	17200(b)(10) – For the removal of Carla D. Ray as Co-Trustee of the trust and appointing Petitioner as the sole trustee on the grounds that she has committed breach of trust (§1652(b)(1)) and failed to cooperate with Petitioner which has impaired the administration of the trust (§15642(b)(3)). She has failed to account to beneficiaries after demand, failed to distribute assets according to the terms of the trust, and failed to cooperate with Petitioner in administration of the trust.	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	17200(b)(5) – for a determination of the debts owed by Carla D. Ray to the trust. Prior and subsequent to their mother's death, she charged expenses, including but not limited to four Dell computers and a 42" LCD HDTV to their mother's estate. The latest charges on 8-23-12 for \$93.24, over two months after their mother passed. Despite several demands to explain and pay, she has failed and refused.	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	17200(b)(12) – Compelling Carla D. Ray to pay the Dell Computer invoice in the amount of \$2,693.37 and reimburse the trust for any other charges or expenses owed to the trust.	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	17200(b)(6) – Instructing that the purpose of the trust has been concluded and it shall be brought to a close, and that the trustee is to conclude the administration of the estate and distribute proceeds of the trust to beneficiaries pursuant to the terms of the trust, including but not limited to the share of the State Farm check, and that Carla D. Ray cooperate with Petitioner as Co-Trustee in administration if she is not removed.	
<input type="checkbox"/>	Duties/Supp		
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Reviewed by: skc

Reviewed on: 7-16-12

Updates:

Recommendation:

File 6 - Davis

Page 2**Petitioner prays for an Order:**

1. Compelling Carla D. Ray to account fully for all trust property and report all actions taken;
2. Removing Carla D. Ray as trustee;
3. Appointing James Douglas Davis as sole trustee;
4. Instructing the trustee that Carla D. Ray owes the trust the amount of \$2,693.37 for the Dell computer account and that said amount shall be charged against and paid by her share of the trust proceeds;
5. Instructing the trustee to distribute all known assets of the trust to the named beneficiaries according to the terms of the trust and bring the trust to conclusion;
6. For costs herein; and
7. For such other orders as the court may deem proper.

Response filed 5-29-12 by Carla Ray states:

Respondent did not receive a written request from Petitioner or an attorney or anyone else requesting an accounting of any sort. It is noteworthy that Petitioner did not attach such request as an exhibit along with his other exhibits do to the simple fact that one does not exist. Section 16062(a) provides that a trustee generally has a duty to account at least annually to a beneficiary. Decedent died on 6-13-11, less than one year ago. Based on the above, Petitioner is premature in his petition to remove Respondent as co-trustee for failure to account. Respondent would have provided an accounting in the ordinary course – with the help of Petitioner as co-trustee – after 6-13-12, but has instead provided the attached accounting – without his help – for the period 6-13-11 through 5-25-12.

Second, before a distribution can be accomplished, the final bills of the decedent must be satisfied. Attached are invoices for unpaid bills. In addition, the trustee has incurred the expense of \$250.00 to Ed Huff, CPA, for tax preparation and \$2,740 to David M. Camenson, Professional Corporation, for legal services after the decedent's death. Also, a court filing fee of \$395.00 for this response was incurred after the date of the accounting. Petitioner has demanded that he is owed half of the \$38,883.82 death benefit from State Farm before satisfying these debts of the estate. This request should be denied.

Third, before final distribution can occur, an account of interim distributions must be prepared so that the final distribution can be equal as required by the trust. Based on the values of the accounting, Petitioner has already received 2/3 of the value of the trust estate (\$96,000) while Respondent has received only \$45,020.

Fourth, contrary to the allegation by Petitioner, Respondent has provided as much information at her disposal to address any inquiries from Petitioner at all times. At times, the information was not available. This can hardly be considered to be failing to cooperate.

Fifth, Petitioner is well aware of the fact that Respondent was not responsible for any charges made to a Dell credit card. The decedent opened a credit card without Respondent's knowledge for use by Misty Blackmon, the decedent's granddaughter, and the balance was paid in full on 5-14-12 by Misty Blackmon from her own money, not from any trust estate monies.

Respondent prays for an Order:

1. Denying and dismissing the petition, Petitioner's request for an accounting and the removal of Respondent as Co-Trustee;
2. Instructing Petitioner as Co-Trustee to cooperate with Respondent to obtain updated appraisals on the jewelry in the possession of Petitioner so as to correctly value the assets already distributed to him;
3. Instructing the Trustees to pay all bills of the trust estate as set forth in Exhibit B to the extent required by the respective creditors;
4. Distribute the balance of the trust estate such that both Petitioner and Respondent receive a distribution of equal value;
5. For costs herein; and
6. For such other orders as the court may deem proper.

SEE PAGE 3

Petitioner filed Reply to Response on 6-6-12 stating:

- A demand letter was received by Respondent on 1-17-12. A copy of the letter and certified mail receipt signed by Ms. Ray are attached.
- Petitioner objects to Respondent's accounting as it incorrectly charges Petitioner with \$51,000 in personal property that he never received or was property owned by Petitioner. For example, Petitioner never received the jewelry alleged in the accounting and believes it is in Respondent's possession or was given to third parties.

[Examiner notes that the informal accounting contained in the Response is not before the Court at this time and was not reviewed by Examiner.]

- As to the administration itself, Petitioner and Respondent are co-trustees, but Respondent has denied Petitioner involvement and keeps information from him. Petitioner demands all records, bank statements, bills, etc.
- Petitioner requests Respondent be instructed to provide a proper account to the trust with all records and information and allow Petitioner to participate as co-trustee. If the above issues can be resolved

Petition to Determine Succession to Real and Personal Property (Prob. C. 13151)

DOD: 5/16/2011		HOWARD GATLIN , Trustee of the Gatlin Family Trust dated 6/3/1998, is petitioner. 40 days since DOD No other proceedings I & A - 148,165.60 Will dated: 6/3/1998 – devises the entire estate to the Gatlin Family Trust dated 2/12/1998. Petitioner requests Court determination that decedent's 8.33% interest in a tractor, 7 parcels of real property located in Mariposa County and 1/12 interest in real property in Mariposa County pass to Howard Gatlin as Trustee of the Gatlin Family Trust, dated 6/3/1998 pursuant to decedent's will.	NEEDS/PROBLEMS/COMMENTS: Note: Declaration of Petitioner states the first sentence of paragraph 4 of decedent's will devises the entire residue of her estate to the trustee of the Gatlin Family Trust, dated February 12, 1998. Petitioner states they did not execute a trust on 2/12/1998, nor did they execute any wills on that day or any other documents. The Will is in error. The only trust petitioner and his wife [decedent] ever executed is the trust know as the Gatlin Family Trust dated 6/3/1998. The title page of the Trust states "This Declaration of Trust made February 12, 1998." However as noted above, the trust was signed on 6/3/1998. In order to avoid any problems with the title company, petitioner requests the property be distributed to Howard Gatlin, Trustee of the Gatlin Family Trust, dated February 12, 1998 (executed on June 3, 1998).
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		Reviewed by: KT Reviewed on: 7/16/12 Updates: Recommendation: File 7 - Gatlin	

**Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)**

DOD: 02/29/2012		<p>LANCE MALACH and LORAN MALACH, sons are petitioners and request appointment as Co-Administrators without bond.</p> <p>All heirs waive bond</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the Estate: Personal property - \$200,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 01/04/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 09/27/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	
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Reviewed by: KT / LV
Reviewed on: 07/13/2012
Updates:
Recommendation: Submitted
File 8 - Malach

**Report of Status of Administration and Petition for Extension of Time to File
Petition for Final Distribution (Prob. C. 12200, 12201)**

DOD: 07/24/09		<p>MIA CROMARTY, daughter, Administrator without bond, is Petitioner.</p> <p>Petitioner is currently in the process of locating assets and having those assets valued. Partial Inventory & Appraisals have been filed, with the last, Partial No. 3 filed on 07/26/11.</p> <p>Report of Status filed 01/04/12 states: a significant portion of the estate will be received from the Estate of Evelyn Cromarty (decedent's mother) who predeceased him. Petitioner states that a petition for final distribution in Evelyn Cromarty's estate was signed on 12/22/11 (in SLO county). Petitioner states that she anticipates that the assets from decedent's mother's estate will be transferred to the decedent's estate and appraised within the next three months.</p> <p>Petitioner further states that she has recently been named as a defendant in a partition action related to the estate's 10.1% interest in real property. Petitioner anticipates that this partition action will take at least 6 to 9 months to resolve.</p> <p>Petitioner is requesting a 12 month extension to receive and value all assets to be received from the decedent's mother's estate and also to settle its portion of the partition action.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 01/12/12</u></p> <p>As of 07/16/12 the only additional document filed in this matter is a Satisfaction of Two Claims of Grant Mercantile, which was filed on 06/29/12.</p> <p>1. Need Status update and/or Final Accounting and Petition for Final Distribution.</p>	
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Status Hearing Re: Amended/Issuance of Letters

DOD: 7/29/2010		<p>FRANK SCOTT HINE, brother, was appointed Administrator with bond set at \$118,260.00 on 1/5/2011.</p> <p>Bond has <u>NOT</u> been filed and Letters have <u>NOT</u> issued.</p> <p>Creditor's claims totaling \$39,051.68 have been filed in this case.</p> <p>Inventory and appraisal filed on 6/6/2012 showing the estate valued at \$134,550.00.</p> <p>The sole beneficiary of this estate appears to be the decedent's 15 year old daughter.</p> <p>Minute Order dated 6/15/12 states Counsel informs the Court that he has the inventory and appraisal on file now. The Court sets the bond at \$45,000.00 and directs that the letters be amended to reflect limited authority and require confirmation of sale.</p> <p>Declaration of Randolph Krbechek regarding hearing on bond filed on 7/16/12 states they submitted a bond application to the insurance company H.M. Vreeland & Sons. The Vreeland agency has informed they that the bond will be issued. However, the Vreeland agency requires that the client and Mr. Krbechek establish a joint control account to handle any funds that come into the possession of Mr. Hine as Administrator. Mr. Krbechek is currently obtaining Mr. Hine's notarized signature on the Joint Control Agreement, so that they can submit it to the Vreeland agency. Mr. Krbechek anticipates that they will be completed by July 19, 2012.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need \$45,000 Bond and Letters to Issue.</p> <p><u>Note:</u> Mr. Krbechek substituted in on 4/4/12.</p>
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Reviewed by: KT	
Reviewed on: 7/16/12	
Updates:	
Recommendation:	
File 10 - Hine	

Atty Hopper, Cindy J (for Guardians Anthony Simas and Maria Simas)

Atty Jones, Angel M (pro per mother)

Status Hearing and Hearing to Consider Amending Visitation Order

Age: 2 years		ANTHONY SIMAS and MARIA SIMAS , paternal grandparents, were appointed guardians on 1/15/12. Father: MICHAEL CATUIZA Mother: ANGEL JONES Order after Hearing dated 1/6/12 granted the parents supervised visits at Comprehensive Youth Services every Saturday for 2 hours. The cost for the supervised visits, if any, shall be apied equally by the parents, Angel Jones and Michael Catuiza. The Court also ordered that the parents, Angel Jones and Michael Catuiza complete the parenting program at Comprehensive Youth Services. The Court set the matter for review to review the status of the case including the supervise visitation order and to see if the parents have completed the parenting program and if appropriate amend the visitation to allow supervised visitation with a 3 rd party supervisor (non-agency). On 6/29/2012 mother, Angel Jones, filed a copy of her certificate of completion of the Successful Single Parenting: Consider the Children Program provided by Comprehensive Youth Services.	NEEDS/PROBLEMS/COMMENTS:
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		Reviewed by: KT Reviewed on: 7/16/12 Updates: Recommendation: File 11 - Catuiza	

Status Hearing Re: Receipt of Funds in Blocked Account

Age: 2 years		<p>TERESA LYNN HANNON, mother, was appointed guardian of the estate on 5/17/12.</p> <p>Father: CARLOS HANNON, Sr.</p> <p>The guardianship was established because the minor is a beneficiary of two pay on death accounts and possibly life insurance policies as a result of the death of the child's grandmother.</p> <p>Order appointing guardian ordered all funds placed into a blocked account.</p> <p>Order to Deposit funds into Blocked Account was signed on 7/10/12 ordering any and all monthly payments from SunAmerica Life Insurance Company, made until January 7, 2030, representing a gross total amount of \$118,697.24 to be placed into a blocked account.</p> <p>Order to Deposit funds into Blocked Account was signed on 7/12/12 ordering \$110,000 into a blocked account at Wells Fargo Advisors.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need receipt for blocked account for \$110,000 2. Need receipt for blocked account for proceeds from SunAmerica Life Insurance.
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<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202 Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 7/16/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Hannon</p>	

Age: 5 years		<p>TERESA LYNN HANNON, mother, was appointed guardian of the estate on 5/17/12.</p> <p>Father: CARLOS HANNON, Sr.</p> <p>The guardianship was established because the minor is a beneficiary of life insurance proceeds as a result of the death of the child's grandmother.</p> <p>Order appointing guardian ordered all funds placed into a blocked account.</p> <p>Order to Deposit funds into Blocked Account was signed on 7/10/12 ordering any and all monthly payments from SunAmerica Life Insurance Company, made until January 7, 2030, representing a gross total amount of \$118,697.24 to be placed into a blocked account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need receipt for blocked account for proceeds from SunAmerica Life Insurance.</p>
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<div>Reviewed by: KT</div> <div>Reviewed on: 7/16/12</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 13 - Hannon</div>	